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May 23, 2022

**VIA ECF**

Hon. Judge Stewart D. Aaron  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 1970  
New York, NY 10007

**Re: *Carlos Alvarez Chicas et al. v. Kelco Construction, Inc. et al.***  
**Case No.: 1:21-cv-09014 (PAE) (SDA)**

Dear Judge Aaron:

We represent Defendants Kelco Construction, Inc., E.L.M. General Construction Corp., John Kelly, and Joseph Provenzano ("Defendants") in the above-referenced matter. In accordance with Your Honor's Individual Practices, Defendants submit their letter motion to request an extension of time to submit their opposition to Plaintiff's motion seeking leave to amend the Complaint, filed on May 9, 2022 (Dkt. 35). Defendants' response is currently due today, May 23<sup>rd</sup>.

Due to the potential impact on the litigation, Defendants are still deciding whether to oppose Plaintiff's request for leave to amend. Given the breadth of the proposed amendment and voluminous amount of discovery produced to date by third parties, Defendants respectfully request a fourteen (14) day extension of time, up to and including June 6, 2022, to prepare its opposition. Defendants contacted Plaintiff's counsel about an extension on May 20<sup>th</sup>, but did not receive a response to same at that time. On May 23<sup>rd</sup>, Defendants' counsel attended a telephonic discussion to discuss the relief sought herein. Plaintiffs' counsel stated he has no objection and does not oppose this request. We thank the Court for its time and consideration.

Respectfully submitted,

/s/Eli Freedberg

Eli Freedberg

Cc: All Counsel of Record (via ECF)